

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 95-072**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

### **2. Form, Style and Placement in Administrative Code**

a. Section 1.02 (1), Manual, states that the beginning of each draft of a rule-making order should include an introductory clause consisting of a relating clause concisely stating the subject matter of the proposed order and an enumeration of the sections treated by the proposed order and the nature of the treatment. An example of proper format for an introductory clause is set forth following that provision. In this rule, the sentence which immediately precedes SECTION 1 of the rule should be moved to precede the plain language analysis and redrafted to conform to the example provided in the Manual.

b. The amendment to s. DOD 28.04 (1), (c) and (g) in SECTION 2 should be placed in a separate SECTION of the rule-making order. [See s. 1.04 (2), Manual.]

c. In the treatment clauses of SECTIONS 1 and 2, “section” should be deleted.

d. In s. DOD 28.02 (1m), “such other loan” should be replaced by a phrase such as “another loan” or “any other loan.”

### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

It is unclear what practical changes will be effected by the creation of s. DOD 28.02 (1m), which would limit repayment to only enumerated loans or those loans that the department determines are “exclusively for educational purposes.” Is it intended that under the new lan-

guage, an applicant must prove that all loan amounts were used exclusively for costs directly related to education, such as tuition and books, and not for other costs such as a student's living expenses? If so, does this interpretation vary from current practice? What criteria will be used to determine if a loan is "exclusively for educational purposes"?

Also, it is unclear whether an applicant who has received one of the enumerated types of loans, such as a "stafford loan," must prove that the loan was used exclusively for educational purposes or if that requirement applies only to "other" loans.